

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
BOX PATENT APPLICATION  
Washington, D.C. 20231

PRIOR APPLICATION: Examiner: Joseph F. Murphy  
Group Art Unit: 1646

CONTINUATION, DIVISIONAL, AND CONTINUATION-IN-PART  
PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a patent application under 37 C.F.R. § 1.53(b).

1. This application is a [ ] Continuation [X] Divisional [ ] Continuation-in-Part patent application under 37 C.F.R. § 1.53(b), of pending prior application no. 09/188,884 filed on November 10, 1998, now allowed which claims priority to JP Application No. 017818/1998 filed on January 14, 1998 of:

Inventor(s): Shigeaki KATO, *et al.*

For: **METHOD OF SCREENING FOR PHARMACEUTICALS BY  
DETECTING CROSS TALK BETWEEN INTRACELLULAR SIGNALS  
AND INTRANUCLEAR RECEPTORS**

2. The papers enclosed are as follows:

29 Page(s) of specification including  
    0 Title Page  
    2 Page(s) of claims  
    1 Page of abstract  
7 Sheet(s) of drawings containing 7 Figures (informal)

3. Amendments

**For continuation and divisional applications:**

- [X] Cancel in this application original claims ~~1-6 and 9-13~~ in the enclosed copy of prior application before calculating the filing fee. [At least one original claim must be retained for filing purposes.]

05/04/01  
Jc912 U.S. PTO

09/188,884 - 05/04/01

J1040 U.S. PTO  
09/848588  
05/04/01

- ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

4. Oath or Declaration

**For continuation or divisional applications:**

- ☐ A newly executed (original or copy) oath or declaration is enclosed.

- ☒ A copy of an oath or declaration from a prior application is enclosed under 37 C.F.R. § 1.63(d). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

- ☐ A signed statement deleting inventor(s) named in the prior application is enclosed.

5. Relate Back - 35 U.S.C. § 120

- ☒ Amend the specification by inserting the following after the Title, but before the Background of the Invention:

--Cross-Reference to Related Applications

This application is a divisional of U.S. Application Serial No. 09/188,884, filed November 10, 1998, now allowed, which claims the benefit of the Japan Application No.017818/1998, filed January 14, 1998, all of which are incorporated herein by reference in their entirety.--

6. Priority - foreign applications under 35 U.S.C. § 119(a)-(d) or § 365(b) or PCT international applications under 35 U.S.C. § 365(a) designating at least one country other than the U.S.

- ☒ Priority of the following foreign application(s) is/are claimed:

Country	Application No.	Filed
JAPAN	017818/1998	January 14, 1998

Certified copy(ies): ☐ is/are attached.

☐ will follow.

☒ was/were filed in prior U.S. Application No. 09/188,884 on

November 10, 1998.

## 7. Assignment

**For continuation or divisional applications:**

☒ The prior application is assigned of record to CHUGAI SEIYAKU KABUSHIKI KAISHA, recorded November 10, 1998 at Reel/Frame 9931/0342.

☐ An assignment of the invention to \_\_\_\_\_ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

**For continuation-in-part applications:**

☐ An assignment of the invention to \_\_\_\_\_ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

## 8. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$710.00 Design \$320.00
Total Claims (37 C.F.R. § 1.16(c))	6 - 20 =		\$ 18.00 each =	0
Independent Claims (37 C.F.R. § 1.16(b))	2 - 3 =		\$ 80.00 each =	0
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))			\$270.00	+ \$
<b>SUB-TOTAL =</b>				<b>\$710.00</b>
Reduction by 2 for filing by a small entity				- \$0
<b>TOTAL FILING FEE =</b>				<b>\$710.00</b>

## 9. Fee Payment

☐ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**

This application is being filed under the provisions of 37 C.F.R. § 1.53(f).

Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

☒ Enclosed.

Check no. 110688 in the amount of \$710.00 is enclosed for payment of:

Filing Fee                      \$710.00

10.    ☐ I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e), for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention entitled:
11.    ☒ The power of attorney in the prior application is to at least one of the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all correspondence shall be addressed to that Customer Number.

Please address all correspondence to Morgan, Lewis & Bockius LLP at **Customer Number: 009629**

12.    ☐ Recognize as associate attorney \_\_\_\_\_  
(name, address, and registration no.)
13.    ☐ **PETITION FOR EXTENSION OF TIME.** If any extension of time is necessary for the filing of this application, including any extension in the prior application, application no. \_\_\_\_\_, filed \_\_\_\_\_, for the purpose of maintaining copendency between the prior application and the present application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to Deposit Account No. 50-0310.
14.    ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §' 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be an **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

## 15. Additional papers enclosed:

- ☒ Information Disclosure Statement (1.97(b)) with 18 references attached
- ☒ Form PTO-1449
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**By: 

Lora M. Green

Reg. No. 43,541

Dated: May 4, 2001

**CUSTOMER NO. 09629****MORGAN, LEWIS & BOCKIUS LLP**

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